

1 **BAILEY & GLASSER, LLP**
2 Arthur H. Bryant (State Bar No. 208365)
3 abryant@baileyglasser.com
4 1999 Harrison Street, Suite 660
5 Oakland, CA 94612
6 (304) 345-6555 (main)
7 (304) 342-1110 (fax)

8 John W. Barrett (*admitted pro hac vice*)
9 jbarrett@baileyglasser.com
10 209 Capitol Street
11 Charleston, WV 25301
12 (304) 345-6555
13 (304) 342-1110 (fax)

14 **THE GOLAN FIRM PLLC**
15 Yvette Golan (*admitted pro hac vice*)
16 ygolan@tgfirm.com
17 529 14th Street Suite 914
18 Washington, DC 20045
19 (866) 298-4150 ext. 101
20 (928) 441-8250 (fax)

21 **Attorney for Plaintiffs**

22 **IN THE UNITED STATES DISTRICT COURT
23 FOR THE NORTHERN DISTRICT OF CALIFORNIA
24 OAKLAND DIVISION**

25 FRANK D. RUSSO, KOONAN LITIGATION Case No. 20-CV-04818-YGR
26 CONSULTING, LLC, and SUMNER M.
27 DAVENPORT & ASSOCIATES, LLC, on
28 behalf of a similarly situated class,

Plaintiffs,

vs.

MICROSOFT CORPORATION,
Defendant.

1 **COOLEY LLP**
2 Whitty Somvichian (State Bar No. 194463)
3 (wsomvichian@cooley.com)
4 3 Embarcadero Center, 20th Floor
5 San Francisco, CA 94111
6 Telephone: (415) 693-2000
7 Facsimile: (415) 693-2222

8 **ORRICK HERRINGTON &
9 SUTCLIFFE LLP**
10 Paul F. Rugani (*admitted pro hac vice*)
11 prugani@orrick.com
12 701 5th Avenue, Suite 5600
13 Seattle, WA 98104
14 Telephone: (206) 839-4300
15 Fax: (206) 839-4301

16 **Attorneys for Defendant**

17 **CLASS ACTION**

18 **STIPULATION AND [PROPOSED]
19 ORDER OF DISMISSAL OF
20 PLAINTIFFS' CLAIMS WITH
21 PREJUDICE**

22 Honorable Yvonne Gonzalez Rogers

23 The Plaintiffs and the Defendant, having reached a compromise, stipulate, and agree
24 under Federal Rule of Civil Procedure 41(a)(1)(A)(ii) that Plaintiffs' claims against the
25

26 **STIPULATED AND [PROPOSED] ORDER OF DISMISSAL OF PLAINTIFFS' CLAIMS WITH
27 PREJUDICE - 1**

1 Defendant are dismissed with prejudice. It is further stipulated that each party will bear its own
2 costs, expenses, and attorneys' fees.

3 Respectfully submitted and dated this 23rd day of November, 2022.
4

5 BAILEY & GLASSER LLP

6 /s/ John W. Barrett
7 John W. Barrett (*admitted pro hac vice*)
BAILEY & GLASSER, LLP
209 Capitol Street
8 Charleston, WV 25301
Telephone: (304) 345-6555
9 Email: jbarrett@baileyglasser.com

10 Arthur H. Bryant (State Bar No. 208365)
11 BAILEY & GLASSER, LLP
12 1999 Harrison Street, Suite 660
Oakland, CA 94612
13 Telephone: (510) 272-8000
Email: abryant@baileyglasser.com

14 Yvette Y. Golan (*admitted pro hac vice*)
15 THE GOLAN FIRM PLLC
16 529 14th Street Suite 914
Washington, DC 20045
17 Telephone: (866) 298-4150 ext. 101
Email: ygolan@tgfirm.com

18 Samuel J. Strauss (*admitted pro hac vice*)
19 TURKE & STRAUSS LLP
20 613 Williamson St., Suite 201
Madison, WI 53703
21 Telephone: (608) 237-1775
Email: sam@turkestrauss.com

22 *Attorneys for Plaintiffs*
23

24 IT IS SO ORDERED.
25

26 Dated: November 30, 2022

27 
HONORABLE YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

28 STIPULATED AND ~~PROPOSED~~ ORDER OF DISMISSAL OF PLAINTIFFS' CLAIMS WITH
PREJUDICE - 2